

9. (Amended) The composition of claim 1 which further contains at least one pigment.

a<sup>2</sup>  
10. (Amended) The composition of claim 9 in which the pigment is selected from the group consisting of iron oxides, ferric ammonium ferrocyanide, manganese violet, ultramarine blue, chrome oxide, talc, zeolite, kaolin, titanium dioxide, zinc oxide, and mixtures thereof.

15. (Amended) A non-emulsion, topical gel composition comprising

- Sub B<sup>3</sup>  
a<sup>3</sup>
- (a) from about 10 to about 40% of an aliphatic polyhydric alcohol;
  - (b) from about 1 to about 15% of an amine salt of a fatty acid or an alkali metal salt of a fatty acid;
  - (c) from about 1 to about 10% of a sterol- or carbohydrate-based surfactant/emulsifier;
  - (d) from about 20 to about 60% of water;
- the composition containing substantially no oil.

16. (Amended) The composition of claim 15 comprising

- (a) from about 10 to about 25 % of an aliphatic polyhydric alcohol;
  - (b) from about 1 to about 6% of an amine salt of a fatty acid or an alkali metal salt of a fatty acid;
  - (c) from about 2 to about 6% of a sterol- or carbohydrate-based surfactant;
  - (d) from about 20 to about 60% of water;
- the composition containing substantially no oil.

#### REMARKS

##### I. Election with Traversal

Applicants confirm an election with traversal to Claims 1 to 3, 7 to 19, 21, 23, 25 and 26 which are readable on the elected species (b). Under MPEP 808.02, when several inventions claimed are related and patentably indivisible as claimed, restriction is not proper. According to MPEP 706.03(k), Applicants have the right to restate the invention in a reasonable number of ways. The present claims directed to surfactants or emulsifiers which can either be carbohydrate-based or sterol-based and merely describe two types of surfactants or emulsifiers either of which can be used in the single invention. The slight modification in the type of surfactant or emulsifier used in the present invention is described in the present specification at page 3, line 27 to page 4, line 6. The use of different surfactants or emulsifiers